

**EXHIBIT B - CONDITIONS OF APPROVAL  
DRC2014-00039 Steinmann**

**Approved Development**

1. This Minor Use Permit authorizes the construction of a new 1,225 square foot single story single family residence, a 485 square-foot garage and 775 square feet of deck area. The project will result in the disturbance of approximately 2,500 square feet (0.05 acre) on a 2.17 acre parcel.
2. Maximum height of 20 feet from average natural grade, with no more than 24 feet from finished grade at any point.

**Conditions required to be completed at the time of application for construction permits**

3. **At the time of application for construction permits**, all project conditions shall be clearly printed on the plans and construction documents shall be consistent with the currently adopted California Codes.
4. **At the time of application for construction permits**, all plans and engineering shall be prepared by a California Licensed Architect of Record or Engineer for all design portions of the project that do not meet "conventional construction" as defined by the current building code.
5. **At the time of application for construction permits**, the project is subject to the California State Title 24 energy laws.

**Site Development**

6. **At the time of application for construction permits**, plans submitted shall show all development consistent with the approved site plan, floor plan, architectural elevations and revised landscape plan (Firma Landscape Architecture, March 2016).
7. **VS-1 Building Location. At the time of application for construction permit**, the applicant shall clearly delineate the building area on the project construction drawings, as shown on the approved land use permit plans.
8. **VS-3 Building Height. At the time of application for construction permit**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project construction drawings. New development shall not exceed 20 feet in height above average natural grade, with no more than 24 feet from finished grade at any time.
9. **VS-4 Water Tank. At the time of application for construction permit**, the applicant shall clearly delineate on the project construction drawings the location and visual treatment of any new water tank(s). The water tank(s) shall be located in the least visually prominent location feasible when viewed from Highway 1. The tank(s) shall be screened with topographic features and structures as feasible. The tank(s) shall be a neutral or dark, non-contrasting color and landscape screening shall be provided. The applicant shall provide evidence that the proposed tank(s) are as low profile as is possible, given the site conditions. Landscape material must be shown to do well in existing soils and conditions, be fast-growing, evergreen and drought tolerant. Shape and size of landscape material shall be in scale with proposed tank(s) and surrounding native vegetation. Landscape Plan shall show how plants will be watered and what watering schedule will be applied to ensure successful and vigorous growth.

10. **VS-5 Exterior Colors & Material Palette.** At the time of application for construction permit, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc.. Darker, non-reflective, earth tone colors shall be selected for walls, and chimneys etc. The proposed metal roofing materials shall be non-reflective material and shall be of earth tone colors. All color selections shall fall within a "chroma" and "value" of 6 or less, as described in the Munsell Book of Color (review copy available at County.)

**Lighting**

11. **VS-6 Exterior Light Plan.** At the time of application for construction permits, the Applicant shall submit an Exterior Lighting Plan for County review and approval. The Plan shall define the height, location, and intensity of all exterior lighting. All lighting fixtures shall be positioned "down and into" the development, and shielded so that neither the lamp nor the related reflector interior surface is visible from surrounding properties and Highway 1. All lighting poles, fixtures, and hoods shall be dark colored. When nighttime lighting is required for construction, temporary lighting shall be hooded to the extent consistent with safety. Lighting fixtures shall be directed away from the highway to avoid glare and, when near a residence, shall be pointed away from the residence.

**Landscaping**

12. **VS-7 Revised Landscape Plan - Upon application for construction permits,** the applicant shall submit a revised landscape plan to the County Department of Planning and Building for review and approval. The plans shall be developed and signed by a licensed landscape architect and shall show screen planting for the purpose of screening of the structures (residence and water tank) as follows:
- a. The screen plants shall be strategically located downslope from the proposed structures (at the South and West facades of the structures). Placement of various tree types and understory vegetation (height, growth rate) shall be placed downslope to create a more natural setting around the proposed structure. Screen planting shall cover 75% of the proposed residence and tank(s) as seen from Highway 1, upon maturity or 10 years, whichever occurs first.
  - b. Screen planting shall include evergreen trees capable of growing to a minimum height of 30 feet tall. Trees shall be planted from a minimum fifteen-gallon container size. All landscaping plants shall be native to the area and utilize plants identified in the County's Approved Plant List.
  - c. Trees and shrubs within the screen planting area shall be maintained in perpetuity. Trees and shrubs within the screen planting area that die shall be replaced.

**Biological Resources**

13. **BIO-1: Prior to construction permit issuance,** the applicant shall retain a biological consultant approved by the County Planning and Building Department to identify purple needle grass batches impacted by the proposed development and monitor the relocation of these clumps to suitable locations outside of the disturbed project area. The biologist shall submit verification to the County Planning Department that relocation activity had been completed and appropriate measures installed to improve the long-term success of the grass bunches.

**Fire Safety**

14. **At the time of application for construction permits**, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, to be prepared at the time of application for construction permits by the Cayucos Fire Department for this proposed project.

**Services**

15. **At the time of application for construction permits**, the applicant shall provide final confirmation of water availability letter from Morro Rock Mutual Water Company stating they are willing and able to service the property.
16. **At the time of application for construction permits**, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed on the site.

**Grading, Drainage, Sedimentation and Erosion Control**

17. **VS-2 Cut and Fill Slopes. At the time of application for construction permit**, the applicant shall clearly delineate the vertical height of all cut and fill slopes on the project construction drawings and the border of cut slopes and fills rounded off to a minimum radius of five feet. Cuts and fills shall be screened from public vantage points along public roads. Any visible cuts shall be stockpiled with at least 8" of topsoil for the reestablishment of vegetation. As soon as the grading work has been completed, the cut and fill slopes shall be reestablished with non-invasive, fast-growing vegetation.
18. **GS-1 Prior to issuance of construction and/or grading permits**, the applicant shall submit final plans demonstrating compliance with the Engineering Geology Investigation & Update (GeoSolutions, October 14, 2014 and May 13, 2015) and Soils Engineering Report Update (GeoSolutions, October 14, 2014).
19. **GS-2 Prior to issuance of construction and/or grading permits**, the applicant shall submit a drainage and erosion and sedimentation control plan in compliance with County Ordinance Section 23.05.040 and Section 23.05.036. The plans shall be prepared by a civil engineer to address both temporary and long-term drainage, sedimentation and erosion impacts.
20. **At the time of application for construction permits**, the applicant shall submit complete drainage plans for review and approval in accordance with Section 23.05.040 (Drainage) of the Land Use Ordinance.
21. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMPs, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.
22. **At the time of application for construction permits, if necessary**, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
23. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System"

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to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.

### **Fees**

24. **Prior to issuance of a construction permit**, the applicant shall pay all applicable school and public facilities fees.

### **Access**

25. **At the time of application for construction permits**, the applicant shall submit evidence to the Department of Public Works of a road maintenance agreement. The agreement shall establish an organized and perpetual mechanism to ensure adequate maintenance of the access road in a form acceptable to the County. The road maintenance agreement shall be signed by the owners and be binding upon their heirs and assigns, and be recorded with the County Clerk.

### **Conditions to be completed during project construction**

#### ***Building Height***

26. The maximum height of the project is 20 feet from average natural grade, and no more than 24 feet from finished grade at any point.
- a. **Prior to any site disturbance**, a licensed surveyor or civil engineer shall stake the lot corners, building corners, and establish the center line of the fronting street at a point midway between the two side property lines and set a reference point (benchmark).
  - b. **Prior to approval of the foundation inspection**, the benchmark shall be inspected by a licensed surveyor prior to pouring footings or retaining walls, as an added precaution.
  - c. **Prior to approval of the roof nailing inspection**, the applicant shall provide the building inspector with documentation that gives the height reference, the allowable height and the actual height of the structure. This certification shall be prepared by a licensed surveyor or civil engineer.

#### ***Grading, Drainage, Sedimentation and Erosion Control***

27. **Prior to or concurrently with on-site grading activities**, permanent erosion control devices shall be installed.
28. All runoff from impervious surfaces such as roofs, driveways, walks, patios, decks, shall be collected and detained on-site, or passed on through an effective erosion control device or drainage system approved by the County Engineer.
29. Grading, filling or site disturbance of existing soil and vegetation shall be limited to the minimum areas necessary.
30. Stockpiles and other disturbed soils shall be protected from rain and erosion by plastic sheets or other covering.
31. All areas disturbed by grading activities shall be revegetated with temporary or permanent erosion control devices in place.
32. Appropriate sedimentation measures to be implemented at the end of each day's work.

**Archaeology**

33. **During construction**, in the event archaeological resources are unearthed or discovered, the following standards apply:
- a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be evaluated by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law. The applicant shall implement the mitigation as required by the Environmental Coordinator.
  - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.

**Conditions to be completed prior to occupancy or final building inspection /establishment of the use**

34. **VS-8 Landscape Performance. Prior to final inspection for the single family residence**, the approved landscape plan shall be implemented, and the applicant shall provide a letter to the San Luis Obispo County Department of Planning and Building for approval demonstrating that the applicant has entered into a contract with a qualified professional for the purpose of monitoring the success of the screen planting area. The monitoring contract shall include a requirement that the monitor conduct at a minimum an annual site visit and assessment of the planting success for five years. At the end of the 5 year monitoring period, the monitoring report shall be submitted to the San Luis Obispo County Department of Planning and Building for approval and shall be used as a determining factor in assessing the successful establishment of the planting as it relates to the bond posted by the applicant. If it is determined that the success criteria has not been met then the applicant shall submit a supplemental landscape screening plan with additional recommendations to achieve the required screening. The plan shall include additional monitoring requirements (as recommended by the landscape architect) to ensure the required screening is achieved.
35. **Prior to occupancy or final inspection**, landscaping shall be installed in accordance with the approved (revised) landscaping plan (Firma Landscaping, March 2016).
36. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Cayucos Fire Department of all required fire/life safety measures.
37. **Prior to occupancy or final inspection**, whichever occurs first, the applicant shall obtain final inspection and approval from Morro Rock Mutual Water Company.
38. **Prior to occupancy of any structure associated with this approval**, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.

**On-going conditions of approval (valid for the life of the project)**

39. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 23.02.050 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 23.02.042 as site work

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progressed beyond grading and completion of structural foundations; and construction is occurring above grade.

40. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 23.10.160 of the Land Use Ordinance.